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Attorney Docket No.: 019916-003810US  
Client Ref. No.: 0009.20

Assistant Commissioner for Patents  
Washington, D.C. 20231

On Nov. 19, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Patricia Andrus

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DEC 02 2002

TECH CENTER 1600/2900

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Stephen A. Empedocles, et al.

Application No.: 09/882,193

Filed: June 13, 2001

For: SINGLE TARGET COUNTING  
ASSAYS USING SEMICONDUCTOR  
NANOCRYSTALS

Examiner: Betty J. Forman

Art Unit: 1634

AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Amendment is submitted in response to the Office Action mailed July 25, 2002. A Petition for a one-month extension of time is submitted concurrently herewith in a separate paper to extend the time for response to on or before November 25, 2002. Applicants respectfully request reconsideration of the above identified application in view of the following amendments and remarks. Please amend the application as follows:

IN THE SPECIFICATION:

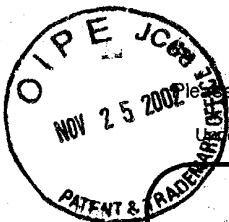
Please insert the following replacement paragraph starting at page 1, line

11/27/2002 MAHMED1 00000122 201430 09882193

02 FC:2201 42.00 CH

11/27/2002 MAHMED1 00000122 201430 09882193

03 FC:2202 117.00 CH



Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	09/882,193
	<b>Filing Date</b>	June 13, 2001
	<b>First Named Inventor</b>	Empedocles, Stephen Alexander
	<b>Group Art Unit</b>	1634
	<b>Examiner Name</b>	Betty J. Forman
<b>Total Number of Pages in This Submission</b>	<b>Attorney Docket Number</b>	019916-003810US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return Postcard
<b>Remarks</b>		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
<b>Firm and Individual name</b>	Townsend and Townsend and Crew LLP Carol A. Fang Reg. No. 48,631
<b>Signature</b>	
<b>Date</b>	November 19, 2002

CERTIFICATE OF MAILING	
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<b>Typed or printed name</b>	Patricia Andrews
<b>Signature</b>	
<b>Date</b>	November 19, 2002

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SF 1407836 v1

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**FEE TRANSMITTAL  
for FY 2003**

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 214

## Complete if Known

Application Number 09/882,193  
 Filing Date June 13, 2001  
 First Named Inventor Empedocles, Stephen Alexander  
 Examiner Name Betty J. Forman  
 Group Art Unit 1634  
 Attorney Docket No. 019916-003810US

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## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ MoneyOrder ☐ Other ☐ None
☒ Deposit Account:Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	740	2001	370	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	510	2003	255	Plant filing fee	
1004	740	2004	370	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fees from below	Fee Paid
Total Claims	31	-18** =	13	X\$9	\$117
Independent Claims	4	-3** =	1	X\$42	\$42
Multiple Dependent				X	

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$159)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Fee Code	Large Entity	Small Fee Code	Small Entity	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	55
1252	400	2252	200	Extension for reply within second month	
1253	920	2253	460	Extension for reply within third month	
1254	1,440	2254	720	Extension for reply within fourth month	
1255	1,960	2255	980	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,280	2453	640	Petition to revive - unintentional	
1501	1,280	2501	640	Utility issue fee (or reissue)	
1502	460	2502	230	Design issue fee	
1503	620	2503	310	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	740	2809	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	740	2810	370	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	740	2801	370	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_


\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$55)

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Carol A. Fang	Registration No. (Attorney/Agent)	48,631	Telephone	415-576-0200
Signature		Date	November 19, 2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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